

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

2012 APR -4 AM 10:04

CLERK'S OFFICE
AT BALTIMORE
BY _____ DEPUTY

UNITED STATES DISTRICT COURT FOR THE DISTRICT COURT OF MARYLAND

PHILLIP PAUL WEINER

Plaintiff

V

CCB 12 CV 1038

ANCILLARY CARE MANAGAEMENT, INC AND UNITEDHEALTH NETWORKS, INC and
its AFFILIATES

AFFIDAVIT OF PHILLIP PAUL WEINER

I am over 18, competent to testify, and state as follows:


1. At the time of this occurrence, I was the pharmacist owner of Weiner's Home Health Care Center at 3635 Old Court Road in Pikesville, Maryland.
2. Weiner's Home Health Care Center is in the business of Durable Medical Equipment, and is NOT a Home Care Agency.
3. This specific allegation occurred from March 1, 2006 through April 11, 2006
4. Examples of other similar items that occurred are also included in the 37 pages of documentation
5. Having concluded over a period of months that fraud may have occurred on residents of Delaware, Maryland, and Virginia, and after exhausting my contacts with United HealthCare, I began to contact what I believed were the government agencies to adjudicate fraud or innocence.
6. The Office of the Attorney General of Maryland took over 6 months to decide it was not their area of concern. The Maryland Insurance Administration, after stating the United HealthCare's line, shuffled me to the State of Maryland Department of Health and Mental Hygiene. I believed this was not reasonable. I realized that the main patient in this scenario was a retired Federal Employee and I contacted the Office of Personnel Management. An agent for OPM agreed with my assessment only to be over rode by a superior. A letter from the superior accused me of being unhappy because I did not get my fair share. Not true, I received over 90% of my billed amount, an amount reasonably paid and accepted by vendors. And finally, the Honorable Senator Benjamin L. Cardin's office was sent a letter to OPM on December 7, 2009 to reopen the case. As of this date, that office has not received a reply to the best of my knowledge.

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7. As a final quest to have this problem aired, I contacted several attorneys who declined to help me address this because the potential benefit to them was insufficient although the problem centered around the Mid-Atlantic States of the United States
8. The redacted information supplied because of HIPPA, will be replaced with unredacted information if the Court accepts my Affidavit.
9. ***I plead to the Court to allow me, in person, before a decision is rendered, to explain to the Court why the other entities were incorrect in their assumptions.***
10. This action is being brought under the qui tam litigation under the False Claims Act

I affirm under the penalties of perjury that the foregoing is true based on my personal knowledge and the enclosed documentation

April 4, 2012



Phillip Paul Weiner